



[WWW.RIVKINRADLER.COM](http://WWW.RIVKINRADLER.COM)

926 RXR Plaza  
Uniondale, NY 11556-0926  
T 516.357.3000 F 516.357.3333

**KEEGAN B. SAPP**

ASSOCIATE

(516) 357-3320

[Keegan.Sapp@rivkin.com](mailto:Keegan.Sapp@rivkin.com)

June 3, 2020

**VIA ECF**

Hon. Jesse M. Furman  
United States District Court  
Southern District of New York  
40 Centre Street, Room 2202  
New York, NY 10007

Re: Helen Swartz v. Soho Hotel Owner LLC  
Docket No.: 1:20-cv-00531 (JMF)

Dear Judge Furman:

The law firm of Rivkin Radler, LLP is counsel for Soho Hotel Owner LLC.

We write pursuant to Your Honor's Individual Practices, Section 1.E. to respectfully request a fourteen-day (14) extension to time to respond to the Complaint and a fourteen-day (14) day adjournment of the initial pretrial conference. Presently the response to the Complaint is due on June 1, 2020 and there is an initial pretrial conference scheduled for June 30, 2020 at 3:00pm.

We respectfully request that the time to respond to the Complaint be extended to include June 15, 2020 and the initial pretrial conference be rescheduled to July 14, 2020 or a date and time thereafter that the Court is available. The Parties will rescheduled the mediation set for June 10, 2020 to a date and time no later than two (2) weeks before the initial pretrial conference.

I apologize to the Court that I have submitted this letter motion less than 48 hours before the relevant deadline. The reason for this request, and the delayed submission of this letter motion, is that my wife and I welcomed our first daughter over the weekend and I have had, and will have, limited availability and access to my files this week. Moreover, the additional time will also afford us an opportunity to continue to discuss the possibility of resolving this matter before incurring the costs and expenses associated with responding to the Complaint, mediating the claims, and appearing before Your Honor at the initial pretrial conference.

There have been four previous requests for an extension of time to respond to the Complaint and one previous request to adjourn the initial pretrial conference. I write with consent of Plaintiff's counsel.

Thank you for your time and attention to this matter.

Respectfully submitted,


RIVKIN RADLER LLP

/s/

Keegan B. Sapp

cc: All counsel (by ECF)

The Court congratulates and sends its best wishes to counsel's family. The application is GRANTED, although the parties are cautioned that future requests to extend the deadline to answer are likely to be denied given the number of extensions to date. The deadline to respond to the Complaint is EXTENDED *nunc pro tunc* to **June 15, 2020**, and the initial pretrial conference currently scheduled for June 30, 2020, is ADJOURNED to **July 14, 2020, at 3:00 p.m.** Finally, as set forth in the Court's March 25th Order, the mediation must take place by the date of the conference. *See* ECF No. 14. The Clerk of Court is directed to terminate ECF No. 19. SO ORDERED.



June 3, 2020